

RESOLUTION NO. 2020-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, RATIFYING REGULATION NO. 3 ISSUED BY THE CITY MANAGER AS DIRECTOR OF EMERGENCY SERVICES ORDERING THAT ALL RESIDENTS OR VISITORS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE CITY OF COSTA MESA WEAR A FACE MASK OR COVERING WHILE ENGAGING IN ESSENTIAL ACTIVITIES

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, Costa Mesa Municipal Code Section 6-6 empowers the City Manager, as the Director of Emergency Services, to declare the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, Government Code Section 8550, *et seq.*, including Section 8558(c), authorize the City Council to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in Wuhan City, Hubei Province, China in December 2019. Symptoms of COVID-19 include fever, cough, and shortness of breath; outcomes have ranged from mild to severe illness, and, in some cases, death. The Center for Disease Control and Prevention (CDC) has indicated the virus is a tremendous public health threat; and

WHEREAS, on January 30, 2020, the World Health Organization (WHO) declared the outbreak a “public health emergency of international concern” and on March 11, 2020, the WHO has elevated the public health emergency to the status of a pandemic. On January 31, 2020, United States Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19. On February 26, 2020 the County of Orange declared a local emergency and a local health emergency. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in California; and

WHEREAS, the Governor on March 12, 2020 issued Executive Order N-25-20, ordering, *inter alia*, that all residents are to heed the orders and guidance of state and local public health officials; and

WHEREAS, on March 12, pursuant to Proclamation No. 2020-01, the City Manager did proclaim the existence of a local emergency pursuant to Title 6 of the Costa Mesa Municipal Code; and

WHEREAS, on March 13, 2020 the City Council pursuant to Resolution No. 2020-09 did ratify Emergency Proclamation No. 2020-01; and

WHEREAS, on March 13, 2020, the President of the United States of America declared a national emergency; and

WHEREAS, on March 19, 2020, the Governor issued Executive Order N-33-20, including the Order of the State Public Health Officer mandating all individuals living in the State of California to stay home or at their place of residence except as needed to maintain continuity of operations of the federal critical infrastructure sectors, as outlined at <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>; and

WHEREAS, the city has been impacted by the health crisis of this global pandemic. Sporting events, concerts, plays, and conferences have been canceled. School closures have occurred and continue. Employees have been advised to work at home, but workers and residents continue to need to engage in essential services, including seeking healthcare, purchasing food and medicines, and performing essential work; and

WHEREAS, during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary close contact and ensure that steps are taken to minimize the spread of COVID-19 while engaging in or performing essential functions; and


WHEREAS, on April 13, 2020, the City Manager, acting as the City's Emergency Services Director issued Regulation No. 3 pursuant to Proclamation No. 2020-01 and Resolution No. 2020-09, imposing requirements for workers and residents in the City to wear face masks or coverings while providing or accessing essential services; and

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, it is necessary to adopt this resolution

ratifying Regulation No. 3 pursuant to the emergency proclamation related to protection of life and property.

NOW, THEREFORE, IT IS ORDERED by the City Council of the City of Costa Mesa that the City Manager's Regulation No. 3 issued on April 13, 2020 requiring wearing face masks or covering while performing or accessing essential services pursuant to the Proclamation of Local Emergency No. 2020-01 dated March 12, 2020 as ratified on March 13, 2020, by Resolution 2020-09, is hereby ratified.

PASSED, APPROVED AND ADOPTED this 21st day of April, 2020:



Katrina Foley, Mayor

ATTEST:



Brenda Green, City Clerk

APPROVED AS TO FORM:



Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF COSTA MESA)

I, BRENDA GREEN, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 2020-17 and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on 21st day of April, 2020, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS: CHAVEZ, GENIS, MARR, REYNOLDS,
STEPHENS, AND FOLEY

NOES: COUNCIL MEMBERS: MANSOOR

ABSENT: COUNCIL MEMBERS: NONE

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal
of the City of Costa Mesa this 22nd day of April, 2020.

Brenda Green
BRENDA GREEN, CITY CLERK